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Mr. Anthony Hood
 Chair
 Zoning Commission
 441 4th Street, NW, Suite 220-S
 Washington, DC 20001

ZONING COMMISSION
 District of Columbia

CASE NO.

08-06-8

EXHIBIT NO.

6

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RECEIVED
 D.C. OFFICE OF ZONING

Re: Case No. 08-06-8 (Comprehensive Regulations Rewrite: Low/Moderate Density Residential)

Dear Mr. Hood:

The proposed changes to the zoning regulations affecting low-density residential neighborhoods seriously threaten neighborhoods such as Berkeley (R-1-A). The document claims to protect existing character and promote "conforming" infill, however, the specific recommendations in my opinion do nothing of the sort. Standards are referred to frequently, but never defined, nor is reasoning laid out to explain what conforms and what of the existing definitions will be maintained.

Recommendation #1 for a standardized system would replace what we already have—a broad description of uses and building types that regulates development—with a "template" tailored to reflect neighborhood characteristics. In their words, "Existing residential zones would be put into the template using their existing standards, and standards from overlays would be included in the zoning for those areas." This part of the report suggests that nothing changes, that the same standards apply; therefore, there is no justification to substitute one "template" for a time-tested other. I disagree with the statement that it is an "issue" for users to "reference and compare multiple layers and the zoning map to understand the applicable standards for a property." This is the essence of applying appropriate standards to the diverse range of residential neighborhoods characterizing the District of Columbia.

The result of the proposed standardization, I believe, will result in the loss of density protection as illustrated by Figure 1. In this particular example, lot occupancy increases by a whopping 25%, yet the report concludes that "a system of customizable local zones would not involve any immediate changes to the bulk or density limitations or the remapping of particular neighborhoods." If Berkeley, Wesley Heights, American University Park and other such neighborhoods lost 25% of their existing yard space, their character would be completely lost.

If the Commission decides to proceed with such remapping, I ask them please to remove all references to R-1 zones from Recommendation #1 and #8. Detached housing, which accounts from much of Washington, DC's land area, is fundamentally different in its needs, land use, landscape and character from multi-unit housing. A template designed to reapportion stresses and ease administration concerns for denser housing districts works with a logic that is inimical to and unappreciative of the special qualities of urban detached housing. As

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Recommendation #8 intends to keep existing densities, the current zoning works well in this respect and doesn't need changing regarding single-family detached units.

Recommendation #6 and the general policies of Recommendations #9-14, dealing with lot occupancy, likewise work against the character of the District. That the District is blessed with a variety of lot sizes and odd bits of land is one of the reasons the City is among the most livable and visually beautiful in the United States. Even with a large metropolitan population, the City has the spaciousness and relaxed quality of the best of America's towns, which seems to me a fitting representation for the Capital of the country's livable urban environment. The City has old lots that are too small, and it may be more sensible to offer an incentive to adjacent lot owners to annex substandard lots into their holdings. To allow an absolute right to build a set amount of housing irrespective of the size of the lot undermines the whole reason for zoning. This change in policy shifts the responsibility from the owner to justify his plans to the community to defend their neighborhood from overbuilding.

Figure 8 shows exactly the diversity of housing offered in the District, and this needs to be protected, not destroyed. There is light and air for all, with lots appealing to those who both love and hate yard work. The rear yard setbacks allow privacy for most, as streets or alleys separate the backs of houses with smaller yards. Were occupied buildings to fill up the open back yards, the pattern would compromise all three qualities, and yield no benefit to any but the building industry and immediate owner who decided to expand.

Recommendations #6, #7 and #11 will turn DC into a monolith of limited landscapes, and generate real problems for the environment with too much hardscape, fewer trees, more heat build-up and more run-off.

Recommendation #10 to expand non-residential uses within residential areas is devastating to neighborhoods of all densities. Now, the applicant must prove that the new use will not be a nuisance. Instead this recommendation reverses the situation by first allowing the use, then expecting the neighbors to correct a bad situation. It turns residents into vigilantes counting infractions of new businesses.

The document further says that controls would "initially be set very strictly to replicate existing limits..." suggesting that controls would soon be relaxed. The ambivalence and uncertainty of this standard is the opposite of the Commission's goals of protecting neighborhoods and developing consistent, understandable regulations. Permitted uses are known now, and work well to promote and enhance neighborhoods. I know of no neighbor who wants retail or commercial uses among our houses. We have plenty of businesses nearby, and it encourages us to a healthier way of life by walking. The District is not a large city and has recently been recognized as being among the most walkable in the nation. Rather than weakening use limitations that threaten the cohesiveness of neighborhoods, the District can contribute to a more sustainable lifestyle by granting energy credits to rehabilitate existing housing, supporting small businesses who offer home deliveries, and improving public transportation, sidewalks and bicycle paths.

Sincerely,

/s/

Justine M. Kingham, AIA